

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

RANDALL MARINCHEK,

Plaintiff,

v.

15-CV-735A(Sr)

**AMERICAN STANDARD METAL
PRODUCTS CORPORATION, et al.,**

Defendants.

DECISION AND ORDER

This case was referred to the undersigned by the Hon. Richard J. Arcara, in accordance with 28 U.S.C. § 636(b)(1)(A), for all pretrial matters, and for hearing and disposition of all dispositive motions. Dkt. #3.

Currently before the Court is a motion to compel by defendant PennBarry, a Division of Air System Components, Inc. Dkt. #20. Specifically, defendant seeks to compel evidence demonstrating that PenBarry either manufactured the product at issue or was party to an agreement to acquire assets and assume the liabilities of the manufacturer. Dkt. #20, ¶ 6. Plaintiff has not responded to defendant's motion to compel.

The motion to compel is granted. Plaintiff shall identify the product which is alleged to have caused his injury and explain or document its connection to

defendant PennBarry or attest that it is not in possession of any such information no later than **October 21, 2016**.

SO ORDERED.

DATED: Buffalo, New York
October 3, 2016

S/ H. Kenneth Schroeder, Jr.
H. KENNETH SCHROEDER, JR.
United States Magistrate Judge